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Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Switzerland

Introduction

1. The Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime and an essential element of international security. All States parties share a collective responsibility to maintain the Treaty's credibility by achieving its goals.

2. Switzerland is of the view that the 64 actions contained in the action plan and the practical steps for the Middle East adopted by the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, together with the Final Documents of the 1995 and 2000 Review Conferences, represent the Treaty's acquis, which is to be transformed into concrete results. Accelerating progress in the implementation of the action plan is crucial for a positive outcome in 2015 and for the credibility of the Treaty.

3. Switzerland strongly believes that obligations and commitments under all the three pillars are inextricably linked, which is why unfulfilled commitments under any of the pillars could have a negative impact on the other pillars. Switzerland is of the view that, while much has been achieved with regard to non-proliferation and peaceful use, efforts regarding nuclear disarmament need to be accelerated significantly in the interests of the credibility and sustainability of the Treaty. Switzerland is also convinced that continued possession of nuclear weapons by some States, and the continued attribution of "value" to nuclear weapons as a tool for enhancing security, may increase the risk of nuclear proliferation.

4. Switzerland has been supporting Reaching Critical Will, the disarmament programme of the Women's International League for Peace and Freedom, in its efforts to monitor the implementation of the action plan. The findings of the 2014 report were presented in Geneva in March 2014, ahead of the third session of the Preparatory Committee. The James Martin Center for Nonproliferation Studies,

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which is also supported by Switzerland, also presented findings regarding progress and lack thereof in the disarmament-related actions of the action plan.

5. Step 12 of the 13 practical steps agreed upon at the 2000 Review Conference calls for regular reports, within the framework of the strengthened review process for the Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament". This call was reiterated in action 20 of the action plan. In line with this commitment, and with a view to contributing to transparency and building confidence towards the 2015 Review Conference, Switzerland submits the present report, an update of its report in 2013 (NPT/CONF.2015/PC.II/3).

Pillar 1 (actions 1 to 23 of the action plan)

6. Switzerland has again recognized the efforts made by the nuclear-weapon States to reduce their nuclear arsenals. However, in support of the implementation of actions 3, 4 and 5 of the action plan, Switzerland has again expressed its concern that several thousand nuclear weapons still exist, that some nuclear-weapon States are increasing their nuclear capacities and that all nuclear-weapon States are not only holding on to the logic of nuclear deterrence but also modernizing their nuclear weapons systems. Switzerland continues to urge the nuclear-weapon States to fully implement their obligations under article VI of the Treaty and to engage in good-faith negotiations on further nuclear disarmament steps.

7. Switzerland is of the view that nuclear weapons do not contribute to international security, but represent a grave risk for both international and human security. At the 2010 Review Conference, all States parties to the Treaty expressed their "deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons". Switzerland has supported the joint statements on the humanitarian consequences of nuclear weapons. Switzerland has also facilitated efforts by civil society to advance the humanitarian dimension by highlighting the humanitarian consequences of nuclear weapons and, in particular, the consequences that they would have if such weapons were ever used again. Switzerland actively participated in the second Conference on the Humanitarian Impact of Nuclear Weapons, hosted by Mexico in February 2014, and has welcomed the offer by the Government of Austria to hold a follow-up conference later in 2014.

8. Switzerland is deeply concerned at the lack of progress in both the Conference on Disarmament and the United Nations Disarmament Commission. Switzerland is of the view that the continuing deadlock has weakened the multilateral disarmament system and that this situation is rooted in institutional deficiencies, as well as lacking political will. Together with other States, Switzerland has called for a debate on the revitalization of the disarmament machinery, including the Conference. Several proposals were made to overcome the current deadlock. Switzerland welcomes the fact that the members of the Conference have considered such proposals and are implementing some of the recommendations made with regard to the working methods. The issue of revitalization remains on the agenda of the General Assembly. We call upon the international community to continue to explore, consider and consolidate options, proposals and elements for a revitalization of the United Nations disarmament machinery as a whole, including the Conference.

9. In 2013, Switzerland actively participated in the work of the Open-ended Working Group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons, which was established by the General Assembly in its resolution 67/56. Switzerland welcomed the Group's consensus report, which reflects the discussions and proposals made. Switzerland also supported the follow-up resolution (68/46) and intends to contribute to its implementation. Switzerland is of the view that the Assembly should, at its sixty-ninth session, assess progress made in the implementation of the resolution and further explore options for taking forward multilateral nuclear disarmament negotiations, including, if necessary, through the Open-ended Working Group.

10. Switzerland is concerned that an estimated 2,000 nuclear weapons are still on high alert, which is in direct contradiction to step 9 of the 13 practical steps and actions 5 (e) and 5 (f) of the action plan. Switzerland put forward, together with Chile, Malaysia, New Zealand and Nigeria (the De-alerting Group), during the discussions of the First Committee of the General Assembly in 2010 and 2012, a resolution on decreasing the operational readiness of nuclear-weapons systems. A 2013 study by the United Nations Institute for Disarmament Research, commissioned by New Zealand and Switzerland and prepared by Hans Kristensen and Matthew McKinzie, *Reducing Alert Rates of Nuclear Weapons*, was presented to the First Committee at the sixty-seventh session of the Assembly, with a side event held in 2013 in Geneva at the second session of the Preparatory Committee. Switzerland has continued to argue that high alert levels are dangerous (accidents, unauthorized launch), not necessary (they vastly exceed current and foreseeable security needs) and contradict continuing efforts to reduce the role and number of nuclear weapons. Switzerland is looking forward to the reporting of the nuclear-weapon States on their undertakings to implement actions 5 (e) and 5 (f) of the action plan. Together with the other members of the De-Alerting Group, Switzerland has submitted a working paper (NPT/CONF.2015/PC.III/WP.24) containing concrete suggestions for accelerating action on de-alerting, including concrete de-alerting measures to be achieved during the next Treaty cycle.

11. In accordance with paragraph 80 of the final document of the 2010 Review Conference, in which the Conference expressed "its deep concern at the continued risk for humanity represented by the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of nuclear weapons", and in support of the implementation of action 5 (f) of the action plan, the aim of which is to reduce the risk of accidental use of nuclear weapons, Switzerland and Austria have mandated Chatham House, a think tank, to examine evidence from declassified documents, testimonies and interviews about risks associated with nuclear arsenals. The study, *Too Close for Comfort: Cases of Near Nuclear Use and Policies for Today*, was presented in Nayarit, Mexico, and will also be presented to the Preparatory Committee at the current session.

12. In accordance with the resolve to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons and in support of the implementation of action 1 of the action plan, under which all States committed themselves to pursuing policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons, Switzerland has furthered a project with the Geneva Centre for Security Policy on security in a world without nuclear weapons. The project's goal is to facilitate a dialogue on how security in a

world without nuclear weapons can be generated and what a nuclear-weapons-free world would look like.

13. Also in accordance with action 1 of the action plan, Switzerland has strengthened its legislation. In this respect, the Federal Act on War Material prohibits, since 1 February 2013, direct and indirect financing of the development, manufacture or acquisition of nuclear weapons.

14. Switzerland attaches great importance to the launch of negotiations on a treaty banning the production of fissile material for nuclear weapons. Efforts to ban fissile material relate to action 15 of the action plan. Switzerland is of the view that such an instrument should be of a multilateral character, non-discriminatory and effectively verifiable and should cover the future production and existing stocks of fissile material. In 2013, Switzerland supported General Assembly resolution 67/53 and submitted its views in response to the request of the Secretary-General.

Pillar 2 (actions 24 to 46 of the action plan)

15. Since its entry into force more than 40 years ago, the Treaty has largely achieved what was expected of it in terms of non-proliferation. The much-feared large-scale proliferation of nuclear arms has not come to pass.

16. Nevertheless, the risk of proliferation is still present, as illustrated by some unresolved cases. The international community must therefore continue to spare no effort to ensure the success of this key pillar. Indeed, more States with nuclear weapons will lead to a less secure world in which the already existing risks with unacceptable catastrophic humanitarian consequences would increase.

17. Switzerland therefore calls upon States that have created proliferation concerns to fully comply with their non-proliferation obligations by addressing all non-compliance matters with their safeguards obligations in order to uphold the authority of the safeguards system.

18. Switzerland is convinced that only a diplomatic approach to proliferation cases will lead to sustainable solutions. In this spirit, Switzerland has supported the resumption of the negotiating process between the E3/EU+3 and the Islamic Republic of Iran by hosting several meetings that led to the adoption, in Geneva in November 2013, of a joint plan of action.

19. In the same spirit, Switzerland has actively supported the efforts of the facilitator to prepare the ground for a conference for the establishment of a Middle East zone free of nuclear weapons, as well as other weapons of mass destruction, by hosting several meetings between the States of the region and the co-conveners.

20. Switzerland has consistently underlined the need to universalize the International Atomic Energy Agency (IAEA) safeguards system by calling upon all States parties that have not yet done so to bring into force without delay an IAEA comprehensive safeguards agreement in accordance with the provisions of article III of the Treaty. Switzerland also calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States. In the meantime, Switzerland urges those States remaining outside the Treaty safeguards system to remedy this situation as a matter of priority.

21. Switzerland supports the efforts to universalize complementary instruments that, just as the Additional Protocol, have proved invaluable in strengthening the

non-proliferation regime. Switzerland is of the view that a comprehensive safeguards agreement, together with an additional protocol, should constitute the safeguards standard. Switzerland encourages all States parties that have not yet done so — in particular those with significant nuclear activities — to conclude and bring into force an additional protocol with IAEA.

22. Since the 2010 Review Conference, Switzerland has supported the efforts of the IAEA secretariat to further develop the State-level concept by launching various initiatives. Switzerland is of the view that optimizing the safeguards system, with a less mechanical approach that better reflects the specificities of each State, will enable IAEA to focus its efforts where they are most needed. Switzerland encourages all States parties to support the current conceptual work of the secretariat. It is indeed in all States parties' interest to provide IAEA with the tools to better meet future challenges.

23. As Chair for 2014 of the Organization for Security and Cooperation in Europe (OSCE), Switzerland has been supporting a project to support participating States members of OSCE in their efforts to build national capacity and the legislative basis to implement Security Council resolutions 1540 (2004) and 1977 (2011). The project is a concrete contribution to raising regional awareness and fostering closer cooperation among all relevant regional and national stakeholders, as well as to global efforts to facilitate implementation of those resolutions and to strengthen OSCE expertise and capacity in this respect.

24. Switzerland is convinced that strengthening nuclear security deserves the commitment of all State parties to the Treaty. Switzerland therefore is a State party to the Convention on the Physical Protection of Nuclear Material and to its Amendment, to the International Convention for the Suppression of Acts of Nuclear Terrorism and to the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources. Switzerland also participated at a high level in the IAEA Ministerial Conference on Nuclear Security, held in July 2013, and in the 2014 Nuclear Security Summit held in The Hague. At both meetings, Switzerland emphasized the importance of strengthening the security of all nuclear material, including that used in nuclear weapons. Furthermore, Switzerland is a member of the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction and of the Global Initiative to Combat Nuclear Terrorism.

Pillar 3 (actions 47 to 64 of the action plan)

25. Switzerland is convinced that the best way to ensure that IAEA resources for technical cooperation activities are sufficient, assured and predictable is by placing the Technical Cooperation Fund within the regular budget of IAEA. As in the past, Switzerland continues, in the context of the IAEA General Conference, to raise this issue and to underline the inherent risks generated by any approach promoting extrabudgetary contributions.

26. Switzerland is convinced that nuclear safety is an issue of a global nature and that strengthening nuclear safety deserves the commitment of all State parties to the Treaty. Switzerland therefore is a State party to all international conventions in the field of nuclear safety.

27. In this context, Switzerland successfully submitted to the Contracting Parties to the Convention on Nuclear Safety, at their sixth review meeting, held in Vienna in

April 2014, a proposal to convene a diplomatic conference to negotiate an amendment in order to strengthen the Convention.

28. Furthermore, Switzerland supports a rapid and complete implementation of the IAEA Action Plan on Nuclear Safety, which was adopted in September 2011. The Plan contains useful tools to strengthen nuclear safety, such as the establishment of peer review missions on a regular basis, greater transparency on the part of national authorities in the publication of their reports and in the implementation of recommendations of peer review missions and the use of the state-of-the-art technology.